

Article - Health - General

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§19-336.

(a) After the hearing under § 19-335 of this subtitle, the court may appoint a receiver for the nursing home or community program or continue the appointment of the receiver made ex parte, if the court finds:

(1) A person is operating the nursing home or community program without a license for it;

(2) The nursing home or community program will be closed within 30 days and arrangements to relocate its residents have not been approved by the Secretary;

(3) The nursing home or community program or its residents have been abandoned; or

(4) A situation, physical condition, practice, or method of operation presents an imminent danger of death or serious mental or physical harm to the individuals.

(b) The court may appoint as receiver any responsible individual other than:

(1) A State employee;

(2) An employee of a local government; or

(3) The owner or administrator of or other individual with a financial interest in the nursing home or community program or agent of any of those individuals.

(c) (1) Before the receiver takes charge of the nursing home or community program, the receiver shall file a bond with the court.

(2) The bond:

(i) May not exceed the value of the nursing home or community program and its assets; and

(ii) Shall run to this State for benefit of all persons interested in the faithful performance of the receiver including the individuals.

(3) Unless the court directs otherwise, the receiver may pay the premium of the bond from the income of the nursing home or community program.

(d) The Secretary may petition the court to appoint a substitute for a receiver who:

(1) Dies;

(2) Has a disability;

(3) Has an adverse interest; or

(4) Does not make reasonable progress in carrying out the receivership.

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